

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-24523 - APPLICANT/ OWNER: RICHARD EHRLICH

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Variance (VAR-8631) shall expire on February 16, 2009 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-8631) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Variance (VAR-8631) to allow 61,000 square feet of open space where 115,724 square feet is the minimum amount of open space required in conjunction with a proposed 161-lot single-family residential development on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard.

It is noted that a related Extension of Time (EOT-24521) shall be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/19/00	The City Council approved a General Plan Amendment (GPA-43-99) to amend a portion of the southeast sector of the General Plan from ML (Medium Low Density Residential) to M (Medium Density Residential) and a Rezoning (Z-66-99) from R-E (Residence Estates) to R-3 (Medium Density Residential) for a 96 unit apartment complex located at 4093 E. Owens Avenue. The Planning Commission and Staff recommended approval.
01/19/05	The City Council approved a General Plan Amendment (GPA-4548) to amend a portion of the Southeast Sector Plan of the General Plan from M (Medium Density Residential) and ML (Medium-Low Density Residential) to MLA (Medium-Low Attached Density Residential), a Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 units per acre); a Variance (VAR-4677) to allow 1.57 acres of open space where 2.75 acres is the minimum required; and a Site Development Plan Review (SDR-4555) for a proposed 166-lot single-family residential development. The Planning Commission and Staff recommended approval of the General Plan Amendment. The Planning Commission and staff recommended denial of the other applications.
10/19/05	The City Council approved a Site Development Plan Review (SDR-8630) and a Variance (VAR-8631) to allow 61,000 square feet of open space where 115,724 square feet is the minimum open space allowed for a proposed 161-lot single-family residential development. Planning and staff recommended denial.
12/08/05	Civil Improvement Plans (CIVIL-10623) for the proposed development were submitted on the indicated date, but have not been finalized.
02/07/06	A Final Map (FMP-11725) for the proposed development was submitted on the indicated date, but has not been finalized.

01/17/07	The City Council approved a request for an Extension of Time (EOT-18434) of an approved Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 Units per Acre) on 17.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard. Staff recommended approval. The Rezoning is now valid through 02/16/09.
11/08/07	A Tentative Map (TMP-24765) for a 161-lot single-family residential subdivision on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard is scheduled to be heard.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this project.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	17.89

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MLA (Medium Low Attached Density Residential)	R-PD9 (Residential Planned Development – 9 Units per Acre) R-E (Residence Estates) Under Resolution of Intent to R-PD9 (Residential Planned Development – 9 Units per Acre)
North	Single Family Residential	Clark County	Clark County
South	Single Family Residential	ML (Medium Low Density Residential)	R-MHP (Residential Mobile/Manufactured Home Park)
East	Multi-Family Residential	ML (Medium Low Density Residential) M (Medium Density Residential)	R-PD9 (Residential Planned Development – 9 Units per Acre)
West	Multi-Family Residential	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Units per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first extension of time request for the proposed development. The applicant has made progress on the proposed project. A Tentative Map was approved. Civil improvement plans and a Final Map were submitted. However, the Tentative Map has expired and that process has started over. A new Tentative Map has been filed and is scheduled to be heard by the Planning Commission on 11/08/07. Approval of this request is recommended.

It is noted that the Rezoning for this property was previously extended and is not currently on the same timeline as the other applications. In order to realign all of the applications to the same time frame this application shall be extended to match the expiration date of the Rezoning on the property, which is 02/16/09.

FINDINGS

The applicant has made progress on the proposed development and approval of this request is recommended. The application shall be extended to match the Rezoning and bring all of the applications for the proposed project within the same timeline.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0